

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
W.R. Grace & Co., et.al.,)	Case No. 01-1139 (KG)
)	
)	(Jointly Administered)
Reorganized Debtors.)	
)	
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Tracie Barnes,)	
)	
Movant,)	Contested Matter
)	Re: <u>33065</u>
v.)	
)	
Maryland Casualty Company,)	
)	
Cross-Movant.)	

STATUS QUO ORDER (Barnes)

Upon consideration of (i) the decision of the Third Circuit (No. 17-1208) remanding to this Court for further proceedings the adversary proceeding entitled *Continental Casualty Company, et al. v. Jeremy B. Carr, et al.*, Adv. Proc. No. 15-50766; (ii) the pending *Motion to Enforce the Permanent Channeling Injunction and for Sanctions* [D.I. 32999*] filed by Maryland Casualty Company (“MCC”), and the *Opposition and Cross-Motion* [*Id.*, D.I. 33021*] filed in response thereto (collectively, the “Roberts Cross-Motions”); (iii) the *Hunt Adversary Complaint*, Adv. Proc. No. 18-50402, and the *Motion to Dismiss* filed in response thereto; (iv) the civil action against MCC in the *Barnes, et al. v. International Paper, et al.*, Lincoln County Cause No. DV-16-111, (“Barnes State Court Action”); and (v) the *Certification of Counsel Regarding Proposed Status Quo Order* [D. I. ____] filed by the parties, and consistent with this Court’s June 8, 2018 Order [D.I. 33042*], the Court finds that the interests of justice and judicial economy will be best served if the status quo as between Plaintiff Tracie Barnes in the Barnes

State Court Action against MCC is preserved until such time as the scope of the injunction is resolved in the above-described litigation.

IT IS THEREFORE ORDERED that:

1. The Barnes claims against MCC are hereby stayed and held in abeyance including that the cause of action stating such claims may not be served on MCC until further order of this Court;
2. Upon resolution of the pending injunction issues, this Court will issue an order either (a) permanently enjoining the Barnes claims against MCC or (b) returning the parties to the status quo as of the date of this order with respect to any claims that are not permanently enjoined; and
3. This Order shall not preclude (a) the prosecution of the claims in the Barnes State Court Action against defendants other than MCC, (b) the taking of pre-service depositions where medically necessary to perpetuate testimony as may be permitted by rules or court order, as the case may be, in the Barnes State Court Action, or (c) any party to the Barnes State Court Action that believes itself prejudiced by this Order from moving this Court to modify this Order at any time.

Dated: Oct 15, 2018



Tracy L. Clark
United States Bankruptcy Judge

* Case No. 01-1139